

CLEAN AIR ACT7-41-B. Noncompliance Penalty: Agency Representation in Hearings  
and Signing of Consent Agreements1. **AUTHORITY.**

- a. To represent the U.S. Environmental Protection Agency in civil penalty adjudications conducted under the noncompliance penalty section, Section 120(a) of the Clean Air Act and 5 U.S.C. Section 554.
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions.

2. **TO WHOM REDELEGATED.**

- a. Regional counsel, for authorities 1.a. and 1.b.
- b. Director, Enforcement and Compliance Assurance Division, for authority 1.b.

3. **LIMITATION.** The agency official who signed the complaint should sign the settlement agreement.4. **REDELEGATION AUTHORITY.**

- a. This authority may be redelegated to the branch chief level, or equivalent, and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCE.** Section 120 of the CAA.

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Debra H. Thomas  
Acting Regional Administrator

**APR 29 2019**

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